

SENATE CHAMBER, }  
 THURSDAY, May 7th, 1846. }  
 9 O'CLOCK A. M.

Senate met, pursuant to adjournment—roll called and a *quorum* present.

Journals of the preceding day read and adopted.

Senator McNeel, chairman of the committee on Engrossed bills, reported the correct Engrossment of

A bill ceding to the United States, jurisdiction over all forts and arsenals.

A substitute to a bill from the House, to provide for the loss of field notes of surveys.

A bill requiring the county of La Vaca to pay a portion of the debt of Colorado county.

A joint resolution for the relief of the heirs of John G. Welchmeyer.

Senator Grimes, chairman of Finance committee, to whom was referred a bill to provide for the assessment and collection of direct taxes, *Reported*, That in the opinion of the committee it is inexpedient to amalgamate the office of Assessor and Collector of Taxes, they therefore present two separate bills, one for the assessment, and one for the collection of taxes, as substitutes for the original bill.

Substitutes adopted and read 1st time.

Senator McKinney introduced a joint resolution relative to monies due the late Republic of Texas.

A message was received from the House, informing the Senate that the House had concurred in their amendments to

A bill to incorporate the several counties in this State which now exist or may hereafter be established.

And had adopted the report of the committee of Conference on the bill to have the lines run between the counties of Robertson and Limestone, Limestone and Leon, Leon and Navarro.

Also had passed the Senate's bill to incorporate the Wilson creek and Colorado Railroad company.

And had passed with amendments, a bill to organize the Supreme Court of the State of Texas.

A bill to organize Justices Courts, and

A bill to establish a State penitentiary.

#### ORDERS OF THE DAY.

Amendments of the House, to Senate's bill to establish State Penitentiary, on motion were concurred in.

**Amendments of the House to Senate's bill to organize the Supreme Court of the State of Texas.**

1st amendment concurred in.

2nd amendment, striking out "City of Austin" and inserting "Anderson" in the county of Grimes.

Yeas and nays called for stood thus:

*Yeas.* Senators, Grimes, Parker, Robinson and Wallace.—4.

*Nays.* Senators, Bagby, Bourland, Burleson, Jewett, McKinney, McNeel, Miller, Navarro, Phillips, Williams and Williamson—11.

Refused to concur.

On motion of Senator Parker, the Senate refused to concur in the remaining amendments of the House.

**Amendments of the House to a bill organizing Justices' Courts.**

On motion, the Senate concurred in the 2nd, 3rd, 4th and 5th amendments, and refused to concur in the 1st amendment.

A bill ceding to the United States, jurisdiction over all Forts and Arsenals; read 3rd time and passed.

A joint resolution for the relief of the heirs of John G. Welchmeyer.

Senator Burleson moved to strike out the words "A Hemp-hill, administrator."

Carried and bill read 3rd time.

Yeas and nays on its final passage, stood thus:

*Yeas.* Senators, Bagby, Burleson, Jewett, Navarro, Parker, Phillips, Robinson, Wallace and Williamson—9.

*Nays.* Senators, Bourland, Grimes, McKinney, McNeel and Miller—5.

So the bill passed.

A bill providing for the loss of field notes of surveys.

Senator Robinson offered the following amendments:

Insert in caption, 3rd line, after the word "notes" "which may have been heretofore or may be hereafter."

Insert in 5th line, in section 1st, after the word "heretofore," "or which may be hereafter."

Insert in section 1st, 7th line, after the word "agent," "on making affidavit of the loss or destruction of such field notes, and filing the same in the office of the County Surveyor."

Amendments adopted; bill read 3rd time and passed.

A bill to provide for issuing patents to assignees of good and genuine head right certificates for land; read 3rd time and passed.

A bill locating the seat of Justice of Leon county; read 3rd time and passed.

A bill to regulate the license and practice of Attorneys at Law.

Senator Phillips offered the following amendment:

Insert in 12th section, "and the party withdrawing said papers shall have a descriptive receipt for the same."

Adopted.

Senator Williamson moved to strike out "has been a resident of the State at least six months" and insert "is a resident of the State."

Lost; bill read 3rd time and passed.

A bill providing for the election of officers for Dallas county; read 3rd time and passed.

A bill to provide for the publication of the laws of the State; read 3rd time and passed.

A bill for the relief of A. J. Yates; ordered to be engrossed.

A bill to incorporate the city of Austin; amendments of the Judiciary committee adopted.

Senator Wallace offered the following amendments:

Insert in caption "the cities of Austin and San Augustine."

In 1st section, after "citizens" 2nd line, insert "of the city of San Augustine in San Augustine county."

Add the following section:

Sec. —. *Be it further enacted*, That this act of incorporation, except in what relates to the formation of wards and the number of Aldermen, which number shall be one ward and five Aldermen, is hereby made to extend to the city of San Augustine in the county of San Augustine, and all laws or parts of laws, which may contravene or conflict with this provision, are hereby repealed; *Provided*, That so far as the city is concerned, all qualified voters residing within the limits of the corporation for six months, shall be entitled to vote for Mayor, Aldermen and other officers of the corporation of said city of San Augustine.

Adopted, and bill passed to 3rd reading.

A bill to create a land district composed of the counties of San Patricio and Nueces; read 2nd time and ordered to be engrossed.

A bill for the relief of Travis G. Brooks; read 2nd time and referred to the Finance committee.

A message from the House, transmitting the following bills:

A bill defining the office and duties of Sheriff; read 1st time.

A bill to incorporate the town of Crockett; read 1st time.

A bill to define more definitely the western boundary of Milam county; read 1st time.

A bill to fix the pay and mileage of members of the Legislature.

Read 1st time—rule suspended—read 2nd time and referred to a select committee, composed of Senators McKinney, Williams and Parker.

A bill to provide for the collection of Taxes due and owing the late Republic of Texas; read first time—rule suspended—read 2nd time and referred to the committee on Finance.

A bill to provide for the assessment and collection of Taxes for the year 1846; read 1st time—rule suspended—read 2nd time and referred to the committee on Finance.

Senator Williams, one of the committee on the Judiciary, to whom was referred a bill to incorporate the town of New Brauniels, reported the following amendments and recommended the passage of the bill:

In 5th section, strike out all after the word "square" in the 3rd line.

Substitute for the 12th section.

*Be it further enacted*, That the Mayor shall have and exercise jurisdiction, civil and criminal, as allowed by law to Justices of the peace.

Adopted, and bill passed to 3rd reading.

A message was received from the House, informing the Senate, of the passage of a substitute for the Senate's bill to amend the 1st section of an act to provide for the issuing of duplicate head right certificates, discharges and land warrants, approved 16th February, 1840.

And had passed the Senate's bill for establishing a General Land Office for the State of Texas, with amendments.

Senator Wallace offered the following rule:

That any amendment or amendments offered by the House of Representatives to a bill that originated in the Senate, shall be read in the Senate on two several days before its adoption, unless the Senate shall suspend the rule.

Laid on the table one day.

Amendments of the House to Senate's bill establishing a General Land Office for the State of Texas.

Yeas and nays called on the concurrence in the 1st amendment, stood thus:

Yeas. Senators, Brashear, Grimes, Miller, Phillips and Wallace—5.

*Nays.* Senators, Bagby, Bourland, Burleson, McKinney, McNeel, Navarro, Parker, Robinson and Williams—9.

Refused to concur.

2nd, 3rd and 4th amendments concurred in.

The senate refused to concur in the substitute of the House to the bill originating in the Senate, to amend the 1st section of an act approved January 14, 1840, authorizing the issuing of duplicate land warrants, discharges and head rights for land upon certain conditions, and asked a committee of Conference on the part of the House.

A message from the Governor, transmitting a communication in writing, which was read and made the special order for 10 o'clock to-morrow.

On motion, the Senate adjourned until 9 o'clock A. M., to-morrow.

SENATE CHAMBER, }  
FRIDAY, May 8th, 1846. }  
9 O'CLOCK A. M.

Senate met, pursuant to adjournment—roll called, and a quorum present.

Journals of the preceding day, read and adopted.

Senator Phillips, chairman of the select committee to whom was referred a bill defining the duties of the District Attorneys and the amendments, reported the same back to the Senate with the following amendments:

Strike out the Senate's substitute for 1st section.

Strike out additional section offered by the Senate to come in as section 2nd.

In 2nd section, 5th line, after the word "Court" insert "to defend all cases of divorce proceeded in ex-parte."

Add to end of 2nd section—

They shall severally reside within the District for which they were elected, and shall notify the Attorney General and Comptroller of public accounts of the county of their residence.

Accept the Senate's amendment to 3rd section.

Accept the Senate's amendment to 10th section.

Accept the Senate's amendment to 11th section.